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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,039	06/21/2001	Michael Chen	AVIP0015USA	3626

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NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)
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MERRIFIELD, VA 22116

EXAMINER	
GIBBS, HEATHER D	

ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/885,039	CHEN, MICHAEL	
	Examiner	Art Unit	
	Heather D Gibbs	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 June 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *9/7/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3,5,10-14 rejected under 35 U.S.C. 102(e) as being anticipated by Shih (US 6,504,626).

Considering claim 1, Shih teaches A scanner 40 capable establishing a wireless connection with at least one external device, the scanner comprising: housing 42; a transparent platform for a document to be placed on (Fig 2); a scanning module 16 installed inside the housing for scanning the document; and control circuitry 44 for controlling operations of the scanning module; the external device 52 comprising: a display panel for displaying data and information 76; and control panel for controlling external device 70 ; wherein a of the external device functionality remotely control using the display panel of the external device to view responses from scanner (Fig 3-4; Col 2 Lines 29-67).

Regarding claim 2, Shih teaches The scanner of claim 1 further comprising a transceiver, wherein the external device further comprises a transceiver, the scanner and the external device using their respective transceivers to send radio signals to each other, or to receive radio signals from each other (Col 2 Lines 52-67).

Considering claim 3, Shih teaches the scanner of claim 2 wherein the scanner and the external device both use a Bluetooth protocol to send and receive the radio signals (Col 3 Lines 27-32).

Regarding claim 5, Shih teaches The scanner of claim 1 wherein when the scanner is connected to a peripheral device, the external device is capable of controlling the scanner to output data using the peripheral device (Col 2 Lines 29-46).

Considering claim 10, Shih teaches the scanner of claim 5 wherein the peripheral device is a printer, and the external device is capable of controlling the scanner to print the document using the printer (Col 3 Lines 10-26).

Regarding claim 11, Shih teaches The scanner of claim 1 wherein when the scanner is connected to a network, the external device is capable of sending information to the network via the scanner (Col 3 Lines 10-26).

Regarding claim 12, Shih teaches the scanner of claim 11 wherein the external device is capable of sending faxes or e-mail messages to the network via the scanner (Col 3 Lines 10-26).

Considering claim 13, Shih teaches the scanner of claim 11 wherein the network is Internet or intranet (Col 3 Lines 10-26).

Considering claim 14, Shih teaches The scanner of claim 11 further comprising a transceiver, wherein the network further comprises a transceiver, the scanner and the network using their respective transceivers to send radio signals to each other, or to receive radio signals from each other (Col 3 Lines 10-26).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 4,6-7,9,16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shih (US 6,504,626) in view of Cho (US 5,995,593).

Considering claim 4, Shih discloses the wireless scanner as discussed above.

Shih does not disclose expressly the scanner of claim 2 wherein the transceivers are infrared transceivers, the scanner and the external device using their respective infrared transceivers to send radio signals to each other, or to receive radio signals from each other.

Cho discloses The scanner of claim 2 wherein the transceivers are infrared transceivers, the scanner and the external device using their respective infrared transceivers to send radio signals to each other, or to receive radio signals from each other (Fig 1; Col 3 Lines 39-57).

Shih & Cho are combinable because they are from the same scope of nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine both wireless communication systems.

The suggestion/motivation for doing so would have been to provide communication for objects that are placed far away from each other, as taught by Cho.

Therefore, it would have been obvious to combine Cho with Shih to obtain the invention as specified in claims 4,6-7,9,16.

Considering claim 6, Cho teaches the scanner of claim 5 wherein the scanner is capable of establishing a wireless connection with the peripheral device (Col 4 Lines 11-20).

Regarding claim 7, Cho teaches The scanner of claim 6 further comprising a transceiver, wherein the peripheral device further comprises a transceiver, the scanner and the peripheral device using their respective transceivers to send radio signals to each other, or to receive radio signals from each other (Col 3 Lines 39-57).

Considering claim 9, Cho teaches The scanner of claim / wherein the transceivers are infrared transceivers, the scanner and the peripheral device using their respective infrared transceivers to send radio signals to each other, or to receive radio signals from each other (Col 3 Lines 39-57; Fig 1).

Considering claim 16, Cho teaches .The scanner of claim 14 wherein the transceivers are infrared transceivers, the scanner and the network using their respective infrared transceivers to send radio signals to each other, or to receive radio signals from each other (Col 3 Lines 39-57; Fig 1).

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shih (US 6,504,626) in view of Cho (US 5,995,593) and further in view of Nevo et al (US 6,660,726).

Shih and Cho disclose the wireless scanner as discussed above.

Shih and Cho do not disclose expressly the scanner of claim 7 wherein the scanner and the peripheral device both use a Bluetooth protocol to send and receive the radio signals.

Nevo discloses the scanner of claim 7 wherein the scanner and the peripheral device both use a Bluetooth protocol to send and receive the radio signals (Col 4 Lines 45-55).

Shih, Cho & Nevo are combinable because they are from the same scope of nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Nevo's multiple wireless communication system with the wireless scanner of Shi.

The suggestion/motivation for doing so would have been as both systems operate concurrently with wireless protocols.

Therefore, it would have been obvious to combine Nevo with Shih and Cho to obtain the invention as specified in claim 8.

6. Claims 15,18-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Shih in view of Nevo.

Regarding claim 15, Shih discloses the wireless scanner as discussed above.

Shih does not disclose expressly the scanner of claim 14 wherein the scanner and the network both use a Bluetooth protocol to send and receive the radio signals.

Nevo discloses .The scanner of claim 14 wherein the scanner and the network both use a Bluetooth protocol to send and receive the radio signals (Col 4 Lines 45-55).

Shih & Nevo are combinable because they are from the same scope of nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Shi and Nevo because they both have wireless communication systems.

The suggestion/motivation for doing so would have been so both systems operate concurrently with wireless protocols.

Therefore, it would have been obvious to combine Nevo with Shih to obtain the invention as specified in claims 15,18-20.

Considering claims 18-20, Nevo teaches The scanner of claim 1 wherein the external device is cellular phone and The scanner of claim 1 wherein the external device personal data assistant (PDA) and The scanner of claim 1 wherein the external device is a notebook (Col 4 Lines 46-55).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D Gibbs whose telephone number is 703-306-4152. The examiner can normally be reached on M-F 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Heather D Gibbs
Examiner
Art Unit 2622

hdg

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